Arguments set in Oswald case

FORT WORTH — An appellate court has scheduled arguments for next April on a lawsuit filed by a British author seeking to exhume the body of accused assassin Lee Harvey Oswald from his grave in Fort Worth Rose Hill Cemetery.

The suit was filed in January by Michael H.B. Eddowes who claimed the corpse in Oswald's grave may really be that of Soviet spy Alek James Hiddell.

The Tarrant County District Attorney's office opposed the request. State Dist. Court Judge James Wright in June rejected Eddowes request for the court order requiring the exhumation of the body and halted plans for comparision of medical data.

Eddowes filed the appeal with the civil court of appeals in Fort Worth, and the court must hear the appeal, said the court's chief justice, Frank A. Massey.

"That's about the time that we're putting the appeals on the docket," Massey said.

Dallas County Medical Examiner Dr. Charles Petty, after meeting with Eddowes, asked Tarrant County officials in August to exhume the body for an autopsy.

Tarrant County Medical Examiner Nazimuddin Peerwani said he would order the body exhumed only after he received approval from the district attorney and Oswald's mother, who lives in Fort Worth.

Told the arguments on the appeal had been scheduled, Petty said, That's very nice. I think it's very good, but right now I don't know what we're going to do. I don't have any plans right now, but I'm sure glad to know."

Petty, on Friday said his office and Tarrant County officials had reached an impasse and added that he would "sit tight and see what develops."

Petty said his office has received Oswald's dental records taken when he was a U. S. Marine in 1958 and other medical records which showed he underwent surgery for an ear infection.

Eddowes contends the body in the Fort Worth grave is two inches shorter than Oswald's and that the scar from Oswald's ear operation does not appear in previous autopsy reports.